

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHRISTINE TIMMON,

Plaintiff,

Case No. 1:07-cv-999

v

HON. JANET T. NEFF

HAROLD LEEMAN et al.,

Defendants.

JUDGMENT

Plaintiff, proceeding pro se, filed this civil rights action pursuant to 42 U.S.C. §§ 1983 and 1985(3). The case was referred to a Magistrate Judge. On November 29, 2007, defendants filed a Motion to Dismiss or for Summary Judgment, and plaintiff filed a response to the motion. The Magistrate Judge issued a Report and Recommendation on March 13, 2008, recommending that this Court (1) grant summary judgment against plaintiff and in favor of defendants Carol Wood, Sandy Allen, Harold Leeman, Kathy Dunbar, and Tim Kaltenbach on the ground of absolute legislative immunity; and (2) dismiss the complaint against defendants Brigham Smith and Karen Schmidt for failure to state a claim upon which relief can be granted pursuant to FED. R. CIV. P. 12(b)(6). The matter is presently before the Court on plaintiff's objection to the Report and Recommendation. Further, this Court received defendants' response to plaintiff's objection as well as plaintiff's answer to defendants' response.

In accordance with 28 U.S.C. § 636(b)(1) and FED. R. CIV. P. 72(b)(3), the Court has performed de novo consideration of those portions of the Report and Recommendation to which

plaintiff's objection was made. Being fully advised of the facts and the law, the Court determines that plaintiff's objection does not reveal any error by the Magistrate Judge either in his factual or legal analysis. The Court therefore denies plaintiff's objection. Accordingly,

IT IS HEREBY ORDERED that the objection (Dkt 18) is DENIED and the Report and Recommendation (Dkt 17) is APPROVED and ADOPTED as the opinion of the Court.

IT IS FURTHER ORDERED that the Motion to Dismiss or for Summary Judgment (Dkt 10) is GRANTED and Judgment is entered against plaintiff and in favor of defendants Wood, Allen, Leeman, Dunbar, and Kaltenbach on the ground of absolute legislative immunity and the Complaint against defendants Smith and Schmidt is DISMISSED for failure to state a claim upon which relief can be granted pursuant to FED. R. CIV. P. 12(b)(6).

IT IS FURTHER ORDERED that plaintiff's Counter-Motion for Summary Judgment (Dkt 19) is DISMISSED as moot.

Date: July 14, 2008

/s/ Janet T. Neff

JANET T. NEFF

United States District Judge